UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:08-CV-00119-H

CELLECTIS S.A.,)	
Plaintiff,)	OPPER
v.)	ORDER
PRECISION BIOSCIENCES, INC.,)	
Defendant.)	

This matter comes before the Court on the Motion to Seal Defendant Precision BioSciences, Inc.'s Brief in Opposition to Plaintiff Cellectis S.A.'s Motion to Disqualify and Supporting Materials [DE 144].

WHEREAS, the Affidavit of Michael R. Heyison in Support of Defendant Precision BioSciences, Inc.'s Opposition to Plaintiff Cellectis S.A.'s Motion to Disqualify [DE 141] (the "Heyison Affidavit") and the Affidavit of Colleen Superko in Support of Defendant Precision BioSciences, Inc.'s Opposition to Plaintiff Cellectis S.A.'s Motion to Disqualify [DE 142] (the "Superko Affidavit") contain non-public information concerning the legal representation of defendant Precision BioSciences, Inc. by WilmerHale LLP which has been designated by defendant Precision BioSciences, Inc. as "HIGHLY CONFIDENTIAL" under the Protective Order in this case; and

WHEREAS, information set forth in the Heyison Affidavit and the Superko Affidavit, as well as information designated by Cellectis S.A. as "HIGHLY CONFIDENTIAL," is discussed within Defendant Precision BioSciences, Inc.'s Brief in Opposition to Plaintiff Cellectis S.A.'s

Motion to Disqualify WilmerHale as Counsel for Precision BioSciences, Inc. [DE 140] (the "Precision Opposition"); and

WHEREAS, it appears to the Court that Precision BioSciences, Inc. claims, in good faith, that the Heyison Affidavit, the Superko Affidavit, and the Precision Opposition contain its confidential business information; and

WHEREAS, review and consideration of the Heyison Affidavit, the Superko Affidavit, and the Precision Opposition are essential to the Court's evaluation and resolution of Plaintiff Cellectis S.A.'s Motion to Disqualify Counsel for Defendant Precision BioSciences, Inc.; and

WHEREAS, the public's right to access to such information is outweighed by the interest which Precision BioSciences, Inc. claims in protecting against its public disclosure.

NOW, THEREFORE, upon consideration of the Motion to Seal Defendant Precision BioSciences, Inc.'s Brief in Opposition to Plaintiff Cellectis S.A.'s Motion to Disqualify and Supporting Materials [DE 144], the brief in support thereof [DE 145], and the entire record herein, it is hereby

ORDERED that the Motion to Seal Defendant Precision BioSciences, Inc.'s Brief in Opposition to Plaintiff Cellectis S.A.'s Motion to Disqualify Counsel and Supporting Materials [DE 144] is hereby GRANTED; and it is

FURTHER ORDERED that the Heyison Affidavit [DE 141] the Superko Affidavit [DE 142], and the Precision Opposition [DE 140] be FILED UNDER SEAL.

This the $\frac{27 \text{th}}{}$ day of July, 2010.

David W. Daniel

United States Magistrate Judge